DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

DISPOSITION

OF THE

PUBLIC LANDS OF THE UNITED STATES

WITH PARTICULAR REFERENCE TO

WAGE-EARNING LABOR

By LEIFUR MAGNUSSON

WASHINGTON
GOVERNMENT PRINTING OFFICE
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PREFATORY NOTE.

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D. C., June 28, 1919.

This condensed account of the public-land policy of the United States, with particular reference to its bearing upon wage-earning labor, has been prepared as part of a general investigation of land as an opportunity for workers, which was begun in the autumn of 1915, pursuant to general instructions from the Secretary of Labor. The object of this investigation has been to survey the possibilities in this country of obtaining, for returned soldiers and other workers, permanent and profitable employment through the settlement and development of our unused lands. The present report is designed to give, in brief space, some historical background of the questions involved, and to provide a better understanding of the problem of developing (or extending) public-land policies to meet the needs of American wage earners.

Another publication being issued by the Department of Labor at this time, as part of the above investigation, is a report by Mr. Benton MacKaye on "Employment and Natural Resources." This presents an introduction to the general subject of utilizing, as an opportunity for labor, the land and resources of the United States, and takes up in some detail the use of agricultural and of forest areas.

W. B. WILSON,
Secretary of Labor.

CONTENTS.

DISPOSITION OF THE PUBLIC LANDS OF THE UNITED STATES WITH PARTICULAR REFERENCE TO WAGE-EARNING LABOR.

INTRODUCTORY.

The public domain has at one time or another covered three-fourths of continental United States, or all of the territory outside of the 13 original States, Kentucky, Tennessee, and Texas. The area of this territory is 1,442,200,000 acres. In addition, the public domain included, when Alaska was purchased in 1867, the whole of that Territory—378,000,000 acres. The public domain developed by a process of gradual accession, having its origin in concessions made by the States of the early Confederation. It was then extended by the Louisiana Purchase in 1803, the Florida Concession in 1819, Oregon Territory in 1846, the Mexican Purchases and Cessions made between 1848 and 1853, and the Alaskan Purchase of 1867. No public land over which the Federal Government has proprietary jurisdiction was acquired with the annexation of the Philippines, the Canal Zone, and the lesser islands of the Pacific, and the purchase of the Virgin Islands. There is national park land in Hawaii and in Porto Rico certain Spanish Crown lands were made into a national forest.

When the Confederation was organized in 1781, the Federal Government did not own or control any land; all the land was claimed by various States. The conflicting land claims of the different States had been a persistent source of dispute among them, and very largely in order to secure an amicable adjustment of these disputes the government of the Confederation succeeded in having the States cede their lands to the Federal Government. On March 1, 1784, Virginia relinquished its claims in the region north of the Ohio River; cessions from New York, Massachusetts, and Connecticut in 1785 and 1786 gave complete title to the territory of what became known as the "sixth northwest State." South Carolina made a cession of land in 1787, North Carolina in 1790, and Georgia in 1802. Out of these were created the States of Alabama and Mississippi. In making these cessions the States usually retained a certain amount of land for their own use.

LAND POLICIES OF THE AMERICAN COLONIES.

The settlers of the American colonies had applied to the new country the practices of their English ancestors. In formulating its general land policy the Confederation, in turn, followed closely the practices of the colonial governments.

Among the purposes for which public lands were set aside were the support of common schools, of the ministry, of seminaries and colleges, and of public officials; the encouraging of the settlement of armed men on exposed frontiers; the rewarding of soldiers for military service and of other men for noted public service; and the promoting of industries, including grants of land for the establishment of flour and lumber mills, for the erection of brickyards, and for wharves and harbors.[1] Following out these ideas and practices, the Continental Congress passed an ordinance May 20, 1785, setting aside a part of every township for the maintenance of public schools—an idea which originated with Timothy Pickering.[2] Subsequently, in 1787, the northwest ordinance, which set up a government for the northwest territories, contained a similar provision. Thus there was early established the New England colonial policy of public land grants for both public and private purposes.

Our early land policy naturally had little reference to the needs of wage labor as such. It was governed mainly by considerations of public finance and the needs of agriculture. There was no recognized labor problem in the United States until 1850, and it is significant that about that time our public-land policy became a factor in the labor movement. This policy previous to 1850, therefore, had been determined practically without reference to the labor movement. Subsequently, however, it came to be influenced by the growing importance of labor, and it may be said, as agreed to by practically all authorities on the subject, that at all times the existence of a vast public domain in the country served to offset the evil effects of excessive industrialization and unemployment.

PERIODS IN THE HISTORY OF AMERICAN LAND POLICY.

In the development of the land policy of the Federal Government, certain well marked, though overlapping, periods stand out:

(1) 1784–1801. Contract sales by the Federal Government of large areas.

(2) 1800–1820. Period of credit sales in small lots.

(3) 1820–1841. Period of cash sales, usually in areas to suit purchasers.

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[1] Federal Land Grants to the States, with Special Reference to Minnesota, by M. N. Orfield, Minneapolis, 1915, Part I, chapters 1–5.

[2] Op. cit., p. 37.

(4) 1841–1891. Preemption system, or sale at low prices to individual settlers.

(5) 1841–1871. Land grants period.

(6) 1862 to date. Homestead period.

(7) 1880 to 1900. Period of reforms.

(8) 1901 to date. Conservation and reclamation period.

The statement of these different periods suggests on the surface a lack of continuity in the Government's land policy which is somewhat misleading. As a matter of fact, the changes indicated in the outline had only a minor effect. The more fundamental and essential features of the land policy of the United States have not altered very greatly. The first important change occurred with the inception of the homestead idea—free land for the landless; the second big change came with the conservation and reclamation period which marks the beginning of larger governmental control over the disposition and development of the land. Prior to the latter period the policy had been one based on extreme individualism and without regard to the ultimate disposition of the land beyond the first taker. Although, therefore, the bona fide landless settler received the land direct from the Government, provisions like the commutation clause in the homestead law facilitated the ultimate disposal of the land into the hands of the speculator and future monopolist.

SALES BY CONTRACT—1784–1801.

It was the policy of the government of the early Confederation to sell land to secure revenue for paying off the Revolutionary debt, as well as for meeting current expenses. This view of public lands as sources of future revenue is emphasized by the fact that in 1785 Congress issued a proclamation forbidding settlement on the public domain.[1] The act of 1804 was of similar intent, while that of 1807 gave power to remove settlers from public land pending sale. The ordinance of May 20, 1785, which established a system of rectangular surveys, provided for unlimited sales of the public lands in minimum amounts of 640 acres at $1 per acre, later reduced to 66⅔ cents. These sales were made at public auction after advertisement.

Under this system of sales three important dispositions were made: (1) To the Ohio Co., 2,000,000 acres (subsequently reduced to 822,900); (2) to Symmes and his associates, 1,000,000 acres on the Ohio River; (3) to Pennsylvania, the Erie tract, now in Erie County, Pa., 202,187 acres. The first and third of these sales were made at 66⅔ cents per acre. The right of preemption to settlers, i. e., the first right of purchase to those already on the land, was inserted in the Symmes purchase, the land being sold at $2 per acre.

[1] Robert Tudor Hill: The Public Domain and Democracy, 1910, p. 36. Donaldson: The Public Domain, rev. ed., Washington, 1884, p. 197.

It can not be said that these sales were a conspicuous success, either as sources of revenue or as means of settling the domain. Subsequently litigation as to titles arose and Congress was forced to pass a series of relief acts for the settlers.

THE CREDIT SYSTEM—1800–1820.

The credit system for the disposition of the public domain has been generally characterized as a failure.[1] It increased the number of debtors to the Federal Government, and encouraged speculation by its system of sale at auction. The debt due by individuals to the Government in 1818 was about $17,000,000; in the seven years ending September 30, 1817, over 698,000 acres had reverted to the Government, and the reversions in 1819 alone were over 365,000 acres. Relief acts were passed yearly. In 1820 Congress discontinued the system and made provision for the liquidation of all debts. The quantity sold under this method was 19,399,158 acres.[2]

SALES TO SUIT PURCHASERS—1820–1841.

Between the years 1786 and 1820 the unit areas of public land which were offered for sale to individuals and companies were reduced gradually from township and eight-section areas to single sections (640 acres), half sections (320 acres), quarter sections (160 acres), and half quarter sections (80 acres).[3] This reduction was intended to encourage the taking of small holdings and to attract the individual settler. The price was reduced from the prevailing one of $2 per acre to $1.25. The sales were both public and private and payment was by cash. They were consummated without special proclamation and proceeded after the fashion of ordinary private real estate transfers.

Further legislation was necessary to reach the actual settler. In 1854, the graduation act was passed for the purpose of hastening the disposal of lands which had been on the market for 10 years and over.[4] This act inured only to the benefit of actual settlers who might desire to increase their holdings. The price was reduced gradually for each five-year period during which any particular piece of land had been on the market; the charge was $1 an acre for land which had been on the market five years, with further reductions quinquennially down to a minimum of 12½ cents an acre for land that had been on the market for 30 years. The act was repealed in 1862. About 26,000,000 acres were disposed of under this act.

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[1] C. F. Emerick: The Credit System and the Public Domain, Nashville, Tenn., 1899. (Publications of the Vanderbilt Southern History Society, No. 3.)

[2] Donaldson, rev. ed., Washington, 1884, p. 203.

[3] Ibid., pp. 205, 206.

[4] Ibid., p. 291.

THE PREEMPTION SYSTEM—1841–1891.

Although the credit system of public land disposal was ostensibly abolished in 1820, it was, for all purposes, continued in the preemption system which was in reality a credit sale to private persons as distinguished from a public sale for cash. The first preemption act was a special law passed in 1801 and originated as a relief measure for settlers in the above-mentioned Symmes purchase, who had found the titles to their lands valueless. The first general preemption law was enacted May 29, 1830, but was merely a temporary measure.[1] The system gave a preference to existing settlers on the public domain by enabling them to purchase land at the price of $1.25 an acre. Credit was granted in the sale which was by private contract and not at public auction. The system early developed great abuses and brought about wide speculation. It was not abolished finally till 1891. The amount of public land disposed of under the preemption act is not ascertainable, as it was carried into the general sales entries of the General Land Office.

LAND-GRANTS PERIOD—1841–1871.

Although the land-grants period in American public-land policy may be said to include only the period from 1841 to 1871, it should not be understood that land grants were unknown prior thereto. For in this instance and in other points of policy, as already noted, the system of public land grants to individuals and companies was known and practiced by the colonial government.[2] The early Confederation accepted the policy as a convenient means of rewarding Revolutionary soldiers for their services. Later the Federal Government handed over public lands to the States for their services in the Revolution, in return for the furnishing of supplies. Bounties in land were provided by Congress to carry out promises made to officers and enlisted men in the War of 1812, and in the Mexican War. These promises were enlarged in the acts of 1850 and 1855. Liberal provisions are contained in the homestead acts in the interests of retired soldiers of the Civil War. In 1842, 1850, 1853, and 1854, donations were made to individual settlers in Florida, Oregon, Washington, and New Mexico, aggregating over 3,000,000 acres.

Land grants have been made to the States since 1785 for the support of the common schools and higher institutions of education, and for internal improvements. In 1802 the policy of an educational grant became a fixed feature connected with the admission of States to the Union. At that time Ohio received section 16 in each township as school land.

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[1] Shosuke Sato: The Land Question in the United States, Baltimore, 1886, pp. 137, 146, ff. (Johns Hopkins University Studies.)

[2] Cf. Orfield, M. N., op. cit., chap. 1. Hart, Albert Bushnell: Disposition of the Public Domain. (Quarterly Journal of Economics, Cambridge, Harvard University, 1887, vol. 1, pp. 169–183.)

States subsequently admitted received varying amounts of land. Grants for higher education also were made. The system of grants was changed and much enlarged in 1862; each State was granted, in support of special institutions, 30,000 acres for each Senator and Representative in Congress. Larger higher-education grants were made to States admitted later.

If any of the land granted to the State is mineral in character, or is already included in another valid group, or is in a reservation—forest, Indian, military, or other—the State may select an equal area elsewhere, known as indemnity land. Usually indemnity selections are not made at once by the States, but are selected as the need for the land arises.[1] Although the grant is through the State, it is usually to some corporation which is authorized to carry out the actual improvements.

Land grants to States for internal improvements became an issue in party politics. The first aid for internal improvement was authorized by the act of 1802, already cited, admitting Ohio to the Union. One-twentieth of the proceeds of the sale of public lands in Ohio was to be used for building public roads within the State. The first land grant, made in 1823, was to the State of Ohio to aid in the construction of a wagon road.[2] Grants in the aid of canal construction were made to the States of Ohio, Indiana, Michigan, and Wisconsin.[3] About 5,000,000 acres were thus parted with by the Federal Government.

Swamp-land grants have been made with the expectation that the States would drain the swamps, but in a great many instances this has not been done. The land office for some years now has recommended the cessation of swamp-land grants for the future on account of failure of the States actually to employ the land so as to secure their drainage, and because of confusion in claims and titles through lapse of time.[4] No land grants for internal improvements have been made since 1869.[5] It is true, however, that land for improvement by the States is still granted under the Carey Act, 1894, in certain of the arid land States.

The first Federal land grant in aid of a railroad is said to be that of 1833, which authorized the State of Illinois [6] to dispose of the canal grant of 1827 and to construct a railroad with the proceeds. The State did not take advantage of the authorization. In 1835 Congress gave a company in Florida a right of way over the public domain, 30

[1] U. S. Geological Survey. The Classification of the Public Lands, Washington, 1913, p. 29. (Bulletin No. 537.)

[2] Ibid., p. 30.

[3] Donaldson, rev. ed., 1884, p. 258.

[4] Annual report of the Secretary of the Interior for the fiscal year ended June 30, 1916. Washington, 1916, p. 20; 1918, p. 60.

[5] U. S. Geological Survey. The Classification of the Public Lands. Washington, 1916, p. 30. (Bulletin No. 537.)

[6] Donaldson, rev. ed., 1884, p. 261.

feet on each side of its line, with the use of timber within 300 feet on either side of the track, and 10 acres at each terminal. Railroad land grants were now an established practice. The first transcontinental railroad grant was made in 1862. This changed the policy of the Government. Hitherto it had made its grants through the States, which acted in a way as trustees. Henceforth grants were made directly to the corporations.

These grants usually included the amount of land immediately necessary for the right of way, and an additional subsidy of every other section of land in a prescribed area on either side of this right of way. The grants are described in such general terms that the actual area is largely a matter of rough estimation. Rarely does the amount actually granted accrue to the corporation affected, although in some instances the area finally patented under the grant exceeds the amount of the original grant. Of the claims adjusted and closed by June 30, 1915, about 95 per cent of the area of the grant had been patented to the beneficiaries. In some instances the grants were made without conditions, working forfeiture under certain circumstances; in other cases limitations of various sorts were inserted.[1] In the California & Oregon Railroad grant, recently under litigation, the covenant in the grant to the effect that the railroad must sell its land to settlers at not exceeding $2.50 an acre, was construed by the Supreme Court as a condition subsequent which forfeited the lands when not complied with. This decree of the court and the subsequent supplementary legislation by Congress restored to the public domain 3,200,000 acres of land.[2]

Eight railroad grants direct to the corporations have been made.[3] Four of these, including approximately 109,000,000 acres, were made to corporations created by Congress for the purpose of building the roads subsidized. Of the four grants to State corporations, two were declared forfeited by Congress in 1874. The last railroad grant was made in 1871.[4]

All the railroad grants were of land free of minerals other than coal and iron. The justification for this exception is said to have been the need of the railroads for those minerals in their construction work. If the lands granted to the railroads are found to contain other minerals, or are within reservation, or are already covered by valid titles, the companies are permitted to make selection of other lands in lieu thereof. This right of selection the roads usually sell in the form of "scrip" which may be filed on any vacant nonmineral Government land.

[1] U. S. Geological Survey. The Classification of the Public Lands. Washington, 1913, p. 32. (Bulletin No. 537.)

[2] Report of the Commissioner of the General Land Office for the fiscal year ended June 30, 1916, p. 48.

[3] U. S. Geological Survey. Op. cit., p. 31.

[4] Ibid., p. 32.

THE HOMESTEAD PERIOD—1862 TO DATE.

The homestead movement in the United States was a by-product of the labor movement of the fifties.[1] The "industrial revolution" came later to the United States than in Europe; the development of machinery was slower in the United States than in Europe in effecting a displacement of labor. This was so, first, because America was primarily an agricultural country and therefore manufacturing, even in the handicraft stage, was not so highly developed; and, second, because there was always at hand the great Northwest—the frontier offering its opportunities for a livelihood. The influence of land in American economic history has been a controlling one. "Unoccupied land drank up liquid capital as thirstily as a desert, and its call for labor was the primal command to human effort." [2]

The existence of unoccupied land acted as an outlet for whatever pressure excess numbers of population might from time to time produce. The evil effects of the financial panics, 1813, 1837, 1857, and particularly 1873, were minimized by reason of the uncultivated lands of the West acting as a refuge to those ruined in business or thrown out of employment. Even in time of ordinary prosperity "the attractions of independent life as a landowner drew skilled immigrants away from their traditional occupations to agriculture."[3] Land, too, being the predominant form of wealth in our early history, there came to be associated with it a social prestige which acted adversely upon the progress of commercial and manufacturing pursuits.

Agriculture, therefore, attracted a more abundant supply of labor. "Even where they were equally remunerative, it was more difficult in America than in England to divert men from farming to industrial pursuits." [4]

Immigrant labor came to this country in colonial days, and during and after the Revolutionary period, because of the attractions of unlimited land at a low cost,[5] it did not come primarily as industrial or handicraft labor. Cotton mill operators in New England had small success in keeping immigrant labor because of its withdrawal to agriculture. They were compelled to employ native skilled labor, the wages of which were not relatively as high as those of unskilled workers who had access to agricultural pursuits. It was therefore cheaper to employ more skilled help than to employ the relatively higher paid unskilled immigrant labor. The proprietors of the

[1] Hookstadt, Carl: History and Analysis of the Homestead Movement, 1840–1862. (Author's unpublished manuscript.)

[2] Clark, Victor S.: History of Manufactures in the United States, 1607–1860. Washington, Carnegie Institution of Washington, 1916, p. 364.

[3] Ibid., p. 155.

[4] Ibid., p. 155.

[5] Ibid., p. 399; also Carver, T. N.: International Phases of the Land Question, Annals of the American Academy of Political and Social Science, Philadelphia, 1918 (May, pp. 16–21).

Beverly (Mass.) cotton mill in 1791 stated that "here the demand for labor is chiefly agricultural and the wages seem to be regulated by it," [1] a view concurred in by other local observers. It agreed also with the views of Tench Coxe, a traveler and observer of economic conditions both in Europe and America.[2] Thus wages of unskilled labor in America tended to approach more nearly those of skilled labor in Europe because it was always in demand for the harder work in mines and furnaces, and because of its access to cheap land "which caused its remuneration to be measured by the rewards and advantages of independent agriculture." [3]

When industry and manufacturing advanced and called into existence the labor movement, the land question continued to affect their relations. The manufacturing interests of the East generally opposed the proposals for a free grant of the public domain, but the laboring interests made the proposal one of the chief demands of their program.[4] The intensity of their demand grew as the effects of the introduction of labor-saving machinery increased, particularly at the times of the industrial panics.

Among the early land reformers was George Henry Evans (1805–1856), a man of English birth who came to America in 1820. He edited and published, about two years after his arrival, the first labor paper in America. He was the son of a Shaker elder active in the propaganda of his cause.

Evans's doctrines rested upon the ideas of the natural rights of man set forth in the Declaration of Independence. The inalienable rights to life, liberty, and the pursuit of happiness were applied by him to the concrete problems of his day. His principle was that the "use of the earth, a portion sufficient to live upon, is man's natural right." [5] He developed this doctrine to its extremest application in the course of continued controversy through his own paper and through the public press of New York City. (He worked frequently in cooperation with Horace Greeley, of the New York Tribune.) "No man ever had a right to more land than was necessary for his subsistence, or an equivalent portion with every other man; consequently no man ever had a right to give or take a mortgage on land. The people have a right to take what belongs to them."

His scheme of reform and land settlement was worked out in detail, and contained some of the principles of the "garden city" of to-day as applied to rural life. It accepted the township idea as the basis.

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[1] Clark, op. cit., p. 389.

[2] Tench Coxe: A view of the United States of America, Philadelphia, 1794.

[3] Clark, op. cit., p. 390.

[4] Cf. Documentary History of American Industrial Society, ed. by John R. Commons (and others) Cleveland, Ohio, 1910, Vol. VII, 288 et seq; Vol. VIII, chap. I. Except when indicated this is the source of what follows concerning the homestead movement.

[5] Workingman's Advocate, June 8, 1844. (Documentary History of American Industrial Society, vol. 7, p. 324.)

In the center of each township was to be a village, laid out square, with a park in the center. The form of government was to be the township democracy. Four great measures of reform in the public land laws were, however, considered necessary as preliminary to the application of his system: (1) The public lands must be given to settlers only; (2) the homestead must be exempt from seizure for debt; (3) there must be a limitation (160 acres) upon the area of land owned; (4) the homestead must not be exchanged for money or movable property, but only for another homestead. Three central ideas underlie his proposals: (*a*) Equal homestead; (*b*) inalienable homestead; (*c*) individual homestead. Each of these reforms would strike at and redress certain evils: (1) The same right and title to ownership, it was argued, would prevent want, crime, and misery; each person's wants, the argument ran, are nearly equal and therefore each is entitled to an equal share in the soil and the whole product of his labor won from the soil. (2) The inalienable homestead was declared essential because man's rights not only are equal but continue so through life, a consideration which made it necessary to assure the continuity of possession of the soil to which all have an equal right; it was, therefore, necessary also to prevent alienation of a homestead except in exchange for another homestead. (3) The homestead must be individually and not collectively owned, for society is made up of individuals, making it self-evident that property must be owned separately by individuals.

The need for free land for bona fide settlers, in the minds of the labor agitators and reformers of the forties, was found in the displacement of labor caused by the application of machinery to manufacturing. They claimed that they observed larger numbers at the seaboard than could find continuous and profitable employment—an excess of labor supply over demand. To improve permanently the conditions of labor under such circumstances they declared was impossible. To avert the effects of machinery was hopeless; it had not been possible to do so in England. Therefore, they argued:

> Our refuge is upon the soil, in all its freshness and fertility—our heritage is on the public domain, in all its boundless wealth and infinite variety. This heritage once secured to us, the evil we complain of will become our greatest good. Machinery, from the formidable rival, will sink into the obedient instrument of our will—the master shall become our servant—the tyrant shall become our slave.

For, while labor in Europe had no outlet, in the United States there was the public domain—boundless, fertile soil, an element which had been allowed to lie dormant too long, with the result "that labor which ought to be employed in calling forth the fruitfulness of nature is to be found seeking employment in the barren lanes of a city."

Labor was not the only element in 1840 which professed to see the intimate connection between the progress and economic prosperity

of the country and the existence of an extensive public domain. The socialistic and communistic movements joined in the appeal to Congress for greater liberality in the distribution of the public domain; the abolitionists favored it, though, of course, they considered it secondary to their own special movement. "The deliverance of the slave," said Garrison in the Liberator (Boston) of March 19, 1847, "must necessarily precede the redemption of the land, however desirable the latter, to prevent monopoly."

All the various branches of the labor movement joined in an industrial congress in 1846 at Boston, a preliminary convention having been held in October, 1845. At this congress and at subsequent ones in June, 1847 (New York), 1848 (Philadelphia), 1849 (Cincinnati), 1850 (Chicago), 1851 (Albany), 1852 (Washington), 1853 (Wilmington), 1854 (Trenton), 1855 (Cleveland), and 1856 (New York), the land question was the leading subject of discussion. Without repeating the arguments and resolutions of these conventions, the main result of them was to give greater publicity to the movement and to secure its advocacy by other than labor influences. The agitation succeeded, indeed, in ultimately making the matter a political issue. The Free Soil Party accepted it as an issue in 1852, and the Republican Party at its first convention in 1856. Horace Greeley in 1845 or earlier took it up in the New York Tribune. Representative Andrew Johnson, of Tennessee, who subsequently became President, and who is said to have represented the interests of the "poor white," introduced a bill in Congress in 1846 accepting the principle of a free homestead, limited in size, for landless bona fide settlers who were heads of families. Even earlier, in 1832, Andrew Jackson in a message to Congress had expressed his views in favor of abandoning the sale of Government land for the purpose of securing revenue and instead offering it for sale "to settlers in limited parcels at a price barely sufficient to reimburse to the United States the expense of the present system," including expenses for the administration of Indian lands.

Earlier, however, than this proposal of Jackson's was the suggestion of Senator Benton, of Missouri, who in 1824 introduced his graduation bill, recognizing the propriety of granting free land to actual settlers.[1]

In 1839 Daniel Webster, in discussing a graduation bill providing for a gradual reduction in the price of land according to the time it had been on the market, came out clearly for the homestead principle:

> It would have been a wise policy of Government from the first to make donation of a half or whole quarter to every actual settler, the head of a family, upon condition of habitation and cultivation.

[1] Eighteenth Congress, 1st sess., vol. 1, p. 583.

The National Reformers' Party, that of George H. Evans, organized in 1844, was the first concerted movement for homestead legislation. This party was split, however, in 1848 by the organization of the Free Soil Democracy. One section of it went to the Free Soil Democracy; the other section of it went over to the abolitionists. This latter party, known as the Abolitionists' or Liberty Party, made free land to actual settlers a part of its platform in 1848. In 1852 the Free Soil Democracy, now in control of the land reformers, or followers of Evans, gave the homestead movement concrete expression in its party platform, adopted at the Pittsburgh convention in August of that year. The plank in the platform ran thus:

* * * The public lands of the United States belong to the people, and should not be sold to individuals, nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted in limited quantities, free of cost, to landless settlers.[1]

Numerous bills were introduced in Congress between 1852 and 1862. In the course of the debates characteristic phrases cropped out: "Vote yourself a home," "loafers of the city," "vagrants to perpetuate their crime," "laborers suffer," "too much competition," "leave to toil," "lands are the balance wheel that regulates the labor of our country." These came from the advocates of the movement representing the eastern wage earners. The representatives of the southern poor whites saw in the measure a relief from their poverty and from their subjection to landlordism under which from one-third to one-half of their labor was taken as rent.

Eastern manufacturing interests characterized the proposal as a charity, a means to live without working, contrary to the principle of the recognition and security of individual property and a way to enhance the price of labor and therefore the cost of manufacturing. They conceded, however, that the land system "controls the wages of labor."

The slave owners in 1852 characterized the proposition as class legislation in behalf of a small class to the exclusion of the rest, an effort to array the poor laborer against the capitalist.

Western pioneers and lumbermen supported the measure, claiming it would encourage the formation of a hardy middle pioneering class and open up the resources of the West, particularly the lumber areas, while the farmers of the Mid West already in the field saw in it the effect of depressing the value of their property by reducing the prices of agricultural products through means of increased production. They saw in it the destruction of the farmer's home market through limitation of the demand for his products, i. e., reducing the number of his consumers to the extent that they themselves might take up free land. They pointed out also its tendency to scatter the farmers

[1] Donaldson, rev. ed., 1884, p. 332.

over the country, and thus make for less efficient methods of cultivation.

In 1856 support of the measure was strengthened by its acceptance by the Republican Party, organized that year. The "Father of the Republican Party," the Hon. Galusha A. Grow, of Pennsylvania, had championed the measure before Congress in 1852, pleading the natural rights of man to a portion of the soil, and holding it to be the true function of government to aid the weak against the strong in the unequal struggle between capital and labor.

> For if a man has a right on earth, he has a right to land enough to rear a habitation on. If he has a right to live, he has a right to the free use of whatever nature has provided for his sustenance—air to breathe, water to drink, and land enough to cultivate for his subsistence. For these are the necessary and indispensable means for the enjoyment of his inalienable rights, of "life, liberty, and the pursuit of happiness." The struggle between capital and labor is an unequal one at best. It is a struggle between the bones and sinews of men and dollars and cents, and in that struggle it needs no prophet's ken to foretell the issue. And in that struggle is it for this Government to stretch forth its arm to aid the strong against the weak? Shall it continue by its legislation to elevate and enrich idleness on the wail and the woe of industry?

In 1851 a homestead bill had reached the floor of Congress, introduced by Representative Andrew Johnson, of Tennessee. A similar bill was introduced in 1853; another in February, 1860. In April, 1860, a homestead measure was passed by both Houses of Congress, but was vetoed by President Buchanan on the ground of unconstitutionality. Among other things he said:

> This bill will open one vast field for speculation. Men will not pay $1.25 for lands when [as provided in the bill] they can purchase them for one-fifth of that price. Large numbers of actual settlers will be carried out by capitalists upon agreements to give them half the land for the improvements on the other half. This can not be avoided. Secret agreements of this kind will be numerous. In the entry of graduated lands the experience of the land office justifies this objection.

By the time the next session of Congress met, the South had seceded and Congress was able to pass the bill, which was signed by President Lincoln, May 20, 1862.[1]

But the homestead law of 1862 was not the legislation dreamed of and advocated by Evans and his land reformers. It accepted in fact none of his three cardinal ideas: (1) Land limitation, (2) inalienability, (3) reservation for actual settlers only. Failure to embody these principles has made possible the accumulation of large areas in few hands. The consequence has been the growth of land monopoly and of an extensive tenant class on the former public domain. As a matter of fact, as finally enacted the homestead law became not primarily a measure to elevate the condition of labor in the East by reducing its numbers by removal to the West, but an instrument for the rapid exploitation of western resources. The western desire

[1] Donaldson, rev. ed., 1884, p. 344.

for rapid development controlled the final form of the legislation and the labor interests of the East lost in the struggle.

The passage of the homestead act naturally marked the beginning of a period of rapid disposal of the public domain. The legislation made no distinction between different classes of land. The same laws and privileges of disposal were applied to agricultural lands, timber lands, grazing areas, and mineral deposits. As if, however, further to hasten the alienation of natural resources, coal lands were made subject to a special law in 1864, the first mineral act applicable to the gold fields of California was passed in 1866, the timber-culture act of 1873 made free disposal of areas deemed suitable for timber raising, and the timber and stone act in 1878 added still more to the possible disposable land areas. The desert-land act was passed in 1877, permitting irrigation and reclamation work through private individual effort. These acts, coupled with the fact that the railroads were selling lands to settlers on their vast grants, all made for rapid alienation of the public domain. The tide of immigration, too, was setting in, and an eager population was at hand to seize the opportunities offered. The result has been that the public domain, instead of lasting 700 years, as forecast by Andrew Jackson, was practically exhausted by 1890. After that began the agitation for reform.

REFORM PERIOD—1880–1900.

Under the authority of the various acts noted, it was possible for a citizen of the United States to acquire in his own name 1,120 acres of Government land[1]—160 acres under the homestead law, 160 acres by preemption, 160 acres under the timber culture law, and 640 acres under the desert land law. It was possible, also, to secure under various other acts large quantities of timber, coal, and mineral lands. This state of affairs was, however, changed in 1890 so that the maximum which could be taken by any individual under all laws was reduced to 320 acres.

The period of reform began with the appointment of a commission, in 1879,[2] the report of which, in 1880, made several recommendations for changes in the policy of public-land disposal. The commission prepared a bill which was practically a public-land code for the United States. This recommended, among others, the following changes: (1) Classification of the lands as agricultural, grazing, timber, and mineral, with a view to the application of different legislation to each class; (2) repeal of preemption rights, or

[1] Treat, Payson J.: Public Lands and Public Land Policy. (In Cyclopedia of American Government, New York and London, 1914, Vol. III, p. 95.)

[2] The Public Land Commission, 1879. Preliminary report, with testimony. Washington, 1880. As part of this commission's report were two volumes of compilations of the land laws, and a third volume on The Public Domain, its History with Statistics, by Thomas Donaldson, of the commission. Three editions of the last appeared, the latest in 1884. One of the most interesting books on the western lands, in which the need of land classification is recognized, is Maj. J. W. Powell's Report on the Arid Region of the United States, 1878.

the squatter's privilege of first right to purchase; (3) disposal of western lands through the homestead law exclusively; (4) reduction of residence requirement on homesteads from five to three years; (5) withdrawal of right of commutation, or right to buy homestead after 14 months' residence—a potent source of speculation and monopoly; (6) sale of grazing land at a low price; (7) sale of timber apart from surface.

Some of these reforms and other changes proposed by later commissions have since been accepted, instances being the repeal of the preemption law, the repeal of the timber-culture act, the classification of the public lands,[1] the reduction of the homesteading period to three years, the sale of timber apart from the land (on national forests), repeal of the system of private land sales and of public sale (except in special cases), and the authorization of the creation of national forests and other reservations.

Other commissions have investigated and proposed reforms—the Public Lands Commission of 1903 (which reported in 1905),[2] the National Waterways Commission of 1907,[3] and the National Conservation Commission of 1909.[4] The Public Lands Commission of 1903 called attention to our system of antiquated land laws in the following terms:

> The information obtained by the commission, through the conferences in the West and the hearings in Washington, discloses a prevailing opinion that the present land laws do not fit the conditions of the remaining public lands. Most of these laws and the departmental practices which have grown up under them were framed to suit the lands of the humid region. The public lands which now remain are chiefly arid in character. Hence these laws and practices are no longer suited for the most economical and effective disposal of lands to actual settlers. (Report, p. v.)

The Conservation Commission of 1909 recommended the repeal of the timber and stone act, on the ground that it had made possible speculation in timber lands; limitation to 160 acres of land taken under the desert land law, and repeal of commutation of such land, with added conditions as to residence, cultivation, etc.; restrictions on the use of the remaining public domain for grazing purposes, involving abolition of free entry upon land for grazing; retirement of public land scrip, fixing a reasonable time within which all such rights to public lands must be located, after which redemption must be in cash. (Scrip is the right to select public lands generally in place of other lands granted but subsequently found to have been taken under valid title or subject to reservation under special laws.)

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[1] U. S. Geological Survey. The Classification of the Public Lands, by George Otis Smith and others, Washington, 1913, 197 pp.

[2] Report of the Public Land Commission, with appendix, Washington, 1905, 373 pp. (58th Cong., 3d sess., S. Doc. No. 189.)

[3] Preliminary Report of the National Waterways Commission, Washington, 1910, 71 pp. (61st Cong., 2d sess., S. Doc. No. 301); also final report, 1912, 579 pp. (62d Cong., 2d sess., S. Doc. No. 469.)

[4] Report of the National Conservation Commission, February, 1909. Washington, 1909, 3 vols. (60th Cong., 2d sess., S. Doc. No. 676.)

Reform of the land laws has been a slow process at all times. "It was the old difficulty—western Congressmen advocated a liberal land system, while men from the East were too much interested in other questions to worry about the public domain."[1] But the struggle for reform is still in progress and continues to find its expression in what is known as the "conservation movement."

CONSERVATION AND RECLAMATION PERIOD—1901 TO DATE.

The conservation movement is an expression of the effort to preserve for the use both of the present and future generations the natural resources of the country, and to prevent their wasteful disposition and monopolization. The rapid disposal of the public domain had resulted in widespread land monopoly and speculation. Attention has already been called to the rapid disappearance of the domain by the great rush to get land whenever new areas, or reservations, were opened up.[2] The appearance of a large and growing tenant population; the decline in the proportion of persons engaged in agriculture; the difficulties in getting an adequate agricultural labor supply; the mounting prices of practically all commodities of consumption, particularly farm products; rapid increases in farm-land values—all these had served to call attention to the fact that the population in this country had been in all likelihood increasing more rapidly than available natural resources could permit, provided present standards of consumption were to be maintained. The familiar results of the pressure of population upon natural resources were emerging—economic rent, monopoly value, and unearned increment.[3]

Statesmen called attention to the importance of conservation. "The conservation of our natural resources and their proper use," President Roosevelt stated before the conference of State governors at Washington in 1908, "constitutes the fundamental problem which underlies almost every other problem of our national life." Action had been taken as early as 1891 in setting aside forest reserves at the time when the timber-culture act was repealed. Recognition was thus given to the fact that the preservation and use of the forests is a long-range task and one best suited to Government enterprise. Some 155,000,000 acres have been reserved as national forest land, of which 20,000,000 acres are in Alaska. The coal lands of this Territory are also to be held permanently by the Government. Their development has been provided for by the law of October 20, 1914,

[1] Treat, Payson J.: Public Lands and Public Land Policy. (In Cyclopedia of American Government New York and London, 1914, Vol. III, p. 95.)

[2] For the 4,000 homesteads to be opened on the Rosebud Indian Reservation of South Dakota in October, 1908, there were 114,769 applicants, or nearly 30 for each homestead. (Fred Dennett, Commissioner of the General Land Office, Report of the National Conservation Commission, 1909, Vol. III, p. 411.)

[3] See, in this connection, an economist's discussion of population growth in this country: E. Dana Durand: Some Problems of Population Growth. (In American Statistical Association Quarterly Publications, June, 1916.)

whereby a portion of the coal lands may be reserved for possible Government operation, the remainder to be handled under a leasing system. Legislation for opening not only the coal fields but the other resources of Alaska was enacted the same year by authorizing the building of a Government railroad from the southern coast into the Yukon Valley.

One very significant piece of legislation resulting from the conservation movement was the reclamation law of June 17, 1902. This definitely brought the Government into the field of action in a positive and constructive fashion. The act gave force to the contention that the reclaiming of arid lands by irrigation, the preservation of the large streams and sources of water supply, were matters of large-scale execution, and so vital to the Nation's economic strength as to justify the exercise of the taxing power to guarantee continued and orderly development.[1] Unfortunately, however, due to the fact that the lands irrigated were disposed of under the usual unrestricted titles, the advantages of large-scale Government enterprise under this act have gone not so much to the individual user of the lands as to those who were able to speculate in such lands.

Prior to 1902, the interest and activity of the Government in the reclamation of uncultivated land was only indirect. The swamp-land act of 1849, already mentioned, granted the State of Louisiana all swamp areas within its borders, with the provision that the State would reclaim these lands by the construction of levees and drainage canals. As early as 1826 a similar grant had been requested for Missouri and Illinois by the Senator from Missouri.[2] In 1850 a similar grant was made to Arkansas, and subsequently extended to other States. The reasons assigned in justification of these grants were (1) the worthless character of the land in question, (2) the increased area rendered cultivable, (3) improvement in sanitary conditions, and (4) enhancement in value of adjoining Government land. The States, however, did not make the required improvements, although grants are still being patented to them. Already about 65,000,000 acres have been thus alienated.

In 1894 the Federal Government undertook indirectly, through the Carey Act, to encourage the reclaiming of arid lands. Under this act there were granted to each of the Western or arid-land States a million acres for withdrawal for the purpose of reclamation, settlement, cultivation, and sale to actual settlers. The land is at first temporarily segregated and a reclamation project is approved by the Federal Government when the land is found actually arid and the water supply sufficient, and the operating company with which the

[1] Cf. Coman, Katherine: Some Unsettled Problems of Irrigation; American Economic Review, Cambridge, Mass., 1911 (vol. 1, pp. 1–19). Newell, F. H.: Irrigation Management, New York, Appleton, 1916, x, 306 pp., illus.

[2] Donaldson, rev. ed., 1884, p. 219.

State has contracted to have the work of irrigation done is found to be financially responsible. When the irrigation work is completed and the area ready for settlement, patent is issued by the Federal Government to the State or its assigns.

The Federal Government also acts not through the States but directly through irrigation companies in encouraging the reclaiming of arid lands. By an act passed in 1891 canal and ditch companies were granted rights of way for irrigation purposes, for canals, ditches, and reservoirs across public lands. These canals may be used for transportation purposes, and power development is permitted under more recent legislation.

The reclamation act of 1902 brought the Government directly into the field of irrigation. A reclamation fund was established from the sale and disposal of the public lands in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas (1906), Utah, Washington, and Wyoming. Five per cent of the proceeds of these sales, however, continued to go to the States under existent legislation, for educational purposes. Other moneys, such as receipts from the sale of temporary works which may have been put up, rent for water furnished, fees, commissions, etc., also are made part of the fund.

The Government cooperates to a limited extent with State Carey-Act projects by leasing water rights to corporations. Irrigation works are also built on Indian reservations for the reclamation of Indian lands.

Land irrigated under the reclamation law is disposed of under the homestead act; the area which is, therefore, from time to time patented to settlers, is found included in disposals under that act. The Reclamation Service also gives the results of operations under all reclamation legislation.

DISPOSITION OF THE PUBLIC LANDS.

The public lands in continental United States have at one time or another included an area of 1,442,200,320 acres. The public domain has also included Alaska, with its 378,165,760 acres, making in all a total of 1,820,366,080. Of the area of Alaska, about 23,900,000 acres, or 6.3 per cent, has been reserved from entry.

Of the total public domain in continental United States (1,442,-200,320 acres) there had been alienated to private ownership or to the States up to June 30, 1915, an area of 953,597,523 acres, or 66 per cent, leaving 488,602,797 acres, or 34 per cent. About 209,000,000 acres, or 14.5 per cent, was reserved from entry, principally in national forests and Indian lands. The remaining 279,000,000-odd acres (19.5 per cent) was unappropriated and unreserved.

The disposition of the public domain, by States, in 1898 and in 1915 is shown in two tables which follow, both compiled from records of the General Land Office. The first table shows the disposition of the domain in 1898 and is taken from the Yearbook of the United States Department of Agriculture, 1898. Correction has been made in it, however, by omitting the areas of other than public-land States. While the tables are comparable, there should be noted a slight discrepancy in the last columns showing total areas in each State. The slight differences in areas shown are due to resurveys which have been made since 1898. The discrepancies in no way affect the relative disposition of the public domain at the two dates in question. The tables follow:

Distribution by States of the public lands of the United States, June 30, 1898 .

[Yearbook of United States Department of Agriculture, 1898, p. 326.]

States.	Unappropriated and unreserved land.		Reserved land.		Total Government land.		Land appropriated by States, corporations, and individuals.		Total.	
	Acres.	Per cent.	Acres.	Per cent.	Acres.	Per cent.	Acres.	Per cent.	Acres.	Per cent.
Total[a]	573,994,834	39.89	[b]145,121,835	10.08	719,116,669	49.97	719,896,960	50.03	1,438,908,801	100
Alabama	522,373	1.60	86,240	0.26	608,613	1.86	32,049,387	98.14	32,658,000	100
Arizona	51,734,783	71.07	[c]15,372,262	21.12	67,107,045	92.19	5,685,455	7.81	72,792,500	100
Arkansas	3,696,990	11.02	1,920	.01	3,698,910	11.03	29,844,590	88.97	33,543,500	100
California	42,443,023	42.72	[c]16,249,170	16.35	58,692,193	59.07	40,668,890	40.93	99,361,083	100
Colorado	39,708,551	59.81	6,225,533	9.38	45,934,084	69.19	20,456,566	30.81	66,390,650	100
Florida	1,757,275	4.98	19,840	.06	1,777,115	5.04	33,487,385	94.96	35,264,500	100
Idaho	44,207,949	83.68	1,939,869	3.67	46,147,818	87.35	6,682,382	12.65	52,830,200	100
Indian Territory			19,575,040	100.00	19,575,040	100.00			19,575,040	100
Kansas	1,060,883	2.02	987,875	1.89	2,048,758	3.91	50,334,242	96.09	52,383,000	100
Louisiana	755,545	2.62	1,474,834	5.11	2,230,379	7.73	26,632,809	92.27	28,863,188	100
Michigan	505,895	1.37	87,746	.24	593,641	1.61	36,225,359	98.39	36,819,000	100
Minnesota	5,720,326	11.07	4,983,409	9.64	10,703,735	20.71	40,985,705	79.29	51,689,440	100
Mississippi	383,950	1.29			383,950	1.29	29,301,050	98.71	29,685,000	100
Missouri	445,911	1.02			445,911	1.02	43,350,089	98.98	43,796,000	100
Montana	71,567,296	75.13	[c]11,464,533	12.03	83,031,829	87.16	12,227,891	12.84	95,259,720	100
Nebraska	10,548,450	21.47	70,522	.14	10,618,972	21.61	38,518,367	78.39	49,137,339	100
Nevada	61,358,609	87.23	5,983,409	8.51	67,342,018	95.74	2,994,482	4.26	70,336,500	100
New Mexico	54,550,795	69.76	[c]8,356,488	10.69	62,907,283	80.45	15,289,722	19.55	78,197,005	100
North Dakota	20,574,613	45.82	3,050,610	6.79	23,625,223	52.61	21,277,764	47.39	44,902,987	100
Oklahoma	7,007,222	28.31	7,207,160	29.11	14,214,382	57.42	10,539,281	42.58	24,753,663	100
Oregon	35,897,869	58.25	5,467,702	8.87	41,365,571	67.12	20,260,647	32.88	61,626,218	100
South Dakota	12,784,426	26.55	[c]11,120,906	23.09	23,905,332	49.64	24,253,223	50.36	48,158,555	100
Utah	43,870,056	83.43	[c]5,451,307	10.37	49,321,363	93.80	3,258,637	6.20	52,580,000	100
Washington	13,442,582	31.49	11,131,345	26.08	24,573,927	57.57	18,110,157	42.43	42,684,084	100
Wisconsin	413,799	1.17	365,353	1.04	779,152	2.21	34,495,848	97.79	35,275,000	100
Wyoming	49,035,663	78.54	[c]8,216,643	13.16	57,252,306	91.70	5,180,694	8.30	62,433,000	100
Other States (Iowa, Illinois, Indiana, Ohio)			(d)		(d)		117,681,510	100.00	117,913,629	100

[a] Does not include the area of the 13 original States, together with 3 States (Vermont, Maine, and West Virginia) and the District of Columbia, carved out of the original thirteen, nor that of Tennessee, Kentucky, and Texas, in which there was originally no public land.

[b] Includes 232,119 acres of reserved land in the remaining 19 nonpublic land States and in the States of Iowa, Illinois, Indiana, and Ohio.

[c] Including forest reserves withdrawn from entry up to January, 1899.

[d] Not reported.

Distribution by States of the public lands of the United States, June 30, 1915.

[Compiled from report of Commissioner of the General Land Office for the fiscal year ended June 30, 1915; annual report of the Secretary of the Interior for the fiscal year ended June 30, 1915.]

States.	Unappropriated and unreserved land.		Reserved land.[a]		Total Government land.		Land appropriated by States, corporations, and individuals.		Total.	
	Acres.	Per cent.	Acres.	Per cent.	Acres.	Per cent.	Acres.	Per cent.	Acres.	Per cent.[b]
Total[c]	279,514,494	19.38	209,057,803	14.50	488,602,797	33.88	953,597,523	66.12	1,442,200,320	100
Alabama	47,940	0.15	1,777	(d)	49,717	0.15	32,768,843	99.85	32,818,560	100
Arizona	36,810,327	50.54	29,430,831	40.40	66,241,158	90.94	6,597,242	9.06	72,838,400	100
Arkansas	278,155	.83	1,210,420	3.60	1,488,575	4.43	32,127,425	95.57	33,616,000	100
California	20,635,923	20.72	21,211,425	21.29	41,847,348	42.01	57,769,932	57.99	99,617,280	100
Colorado	17,236,114	25.98	13,959,523	21.04	31,195,637	47.02	35,145,483	52.98	66,341,120	100
Florida	268,484	.76	339,084	.97	607,568	1.73	34,503,472	98.27	35,111,040	100
Idaho	16,212,273	30.39	18,412,496	34.52	34,624,769	64.91	18,721,791	35.09	53,346,560	100
Kansas	75,214	.15	441,419	.81	516,633	.99	51,818,727	99.01	52,335,360	100
Louisiana	101,016	.35	4,957	.01	105,973	.36	28,955,787	99.64	29,061,760	100
Michigan	76,030	.21	239,144	.65	315,174	.86	36,472,026	99.14	36,787,200	100
Minnesota	943,831	1.82	2,486,899	4.81	3,430,730	6.63	48,318,390	93.37	51,749,120	100
Mississippi	36,882	.12	1,326	.01	38,208	.13	29,633,472	99.87	29,671,680	100
Missouri	923	(d)	3,160	.01	4,083	.01	43,981,197	99.99	43,985,280	100
Montana	19,065,121	20.37	23,127,162	24.72	42,192,283	45.09	51,376,357	54.91	93,568,640	100
Nebraska	192,358	.39	590,742	1.20	783,100	1.59	48,374,020	98.41	49,157,120	100
Nevada	55,417,746	78.85	5,999,516	8.53	61,417,262	87.38	8,868,178	12.62	70,285,440	100
New Mexico	27,788,857	35.45	13,157,461	16.78	40,946,318	52.23	37,455,602	47.77	78,401,920	100
North Dakota	493,667	1.10	1,907,263	4.25	2,400,930	5.35	42,516,190	94.65	44,917,120	100
Oklahoma	42,177	.09	19,700,251	44.35	19,742,428	44.44	24,682,532	55.56	44,424,960	100
Oregon	15,442,178	25.24	15,097,568	24.67	30,539,746	49.91	30,648,734	50.09	61,188,480	100
South Dakota	2,934,609	5.97	7,572,037	15.39	10,506,646	21.36	38,688,874	78.64	49,195,520	100
Utah	33,363,837	63.43	9,110,021	17.32	42,473,858	80.75	10,123,902	19.25	52,597,760	100
Washington	1,144,605	2.68	13,232,192	30.93	14,376,797	33.61	28,398,243	66.39	42,775,040	100
Wisconsin	6,758	.02	583,361	1.65	590,119	1.67	34,773,721	98.33	35,363,840	100
Wyoming	30,929,969	49.52	11,237,768	17.99	42,167,737	67.51	20,292,423	32.49	62,460,160	100
Other States (Iowa, Illinois, Indiana, Ohio)				(e)			120,584,960	100.00	120,584,960	100

[a] Data obtained by special correspondence with Department of the Interior.
[b] Per cent of land area of United States.
[c] Does not include the area of the 13 original States, together with three States (Vermont, Maine, and West Virginia) and the District of Columbia, carved out of the original 13, nor that of Tennessee, Kentucky, and Texas, in which there was originally no public land.
[d] Less than one-hundredth of 1 per cent.
[e] Reserved land in these States is not reported; the amount is negligible compared with the whole of Government reserved areas.

Between June 30, 1915, and June 30, 1918, the area alienated from the public domain increased from 954,000,000 acres to about 1,015,000,000 acres; the total area remaining in United States ownership decreased from 489,000,000 acres to about 427,200,000 acres; and the area of unreserved and unappropriated lands diminished from 280,000,000 acres to about 222,400,000 acres.

The 25 States in which public lands are at present located include 69 per cent of the total land area of the United States; there were at one time 29 public land States,[1] but no vacant public land is now located in the States of Iowa, Illinois, Indiana, and Ohio. On June 30, 1918, the total vacant public land formed 11.7 per cent of the total land area of the United States; in 1898 it formed 30.2 per cent. The area in the 25 public-land States which was reserved by the Government (forest, parks, Indian lands and withdrawals) on June 30, 1918, formed 10.8 per cent of the total land area of the United States, while in 1898 it formed 7.6 per cent. On June 30, 1918, the Government-owned land formed, therefore, 22.5 per cent of the land area of the whole United States, while in 1898 it formed 37.8 per cent.

Into whose hands the public lands have fallen is not definitely known. Any attempt to balance the acreage of public lands disposed of for known purposes and under definite laws or regulations (together with land still in possession of the Government) with the area at one time denominated as public land will meet with failure. The General Land Office has never made any attempt to make this balance; as a matter of fact it is not in possession of the necessary data. Some 418,000,000 acres appear to be unaccounted for. This acreage includes such areas as were disposed of when the Government was selling its land at auction to help pay the public debt of the Revolution, also disposals made under the early preemption acts, and other dispositions the records of which are completely lost.

A general statement of the disposition of the public domain in continental United States on June 30, 1918, is given in the following table:

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[1] These States and Territories were: Alabama, Arizona, Arkansas, California, Colorado, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming.

Disposition of the public domain in continental United States under certain specified acts or grants of Congress, June 30, 1918.

[Source: Report of the Commissioner of the General Land Office for the fiscal year ended June 30, 1918.]

Item.	Area (acres).	Per cent of total public domain.
Credit sales (1800–1820) [a]	19,399,000	1.3
Sales to suit purchasers (1820–1841) [b]	26,000,000	1.8
Homestead entries (1868–1918)	178,342,000	12.4
Desert land entries (1877–1918)	7,922,000	.6
Timber culture entries (1873–1918)	9,856,000	.7
Timber and stone entries (1878–1918)	13,446,000	.9
Coal land entries (1873–1918)	622,000	(c)
Educational and internal improvement grants to States	112,081,000	7.8
Grants to States of swamp and overflowed lands (1849–1918)	65,003,000	4.5
Railroad grants (patented)	[d] 123,712,000	8.6
Wagon road grants	3,242,000	.2
National forests	134,491,000	9.3
National parks and monuments	6,062,000	.4
Withdrawals and reservations (estimated)	30,000,000	2.1
Indian lands (allotted and unallotted) [e]	71,094,000	4.9
Vacant public lands [f]	222,448,000	15.4
Disposals unaccounted for [g]	418,477,000	29.0
Total	1,442,200,000	100.0

[a] Donaldson, rev. ed., 1884, p. 203.
[b] Ibid., p. 291.
[c] Less than one-tenth of 1 per cent.
[d] An understatement by about 35,000,000 acres, as it includes only patented areas. The limits of the original grants show about 158,294,000 acres which will fall to the railroads when all claims have been adjusted and patents issued. (Statement showing land grants made by Congress. Compiled from records of the General Land Office, Washington, 1915, p. 23.)
[e] Annual report of the Commissioner of Indian Affairs for the fiscal year ended June 30, 1918, Washington, 1918
[f] This area is subject to reduction to satisfy the remaining land grants to the railroads. The area of these outstanding grants is 35,000,000 acres, but for various reasons the roads will not be able to secure patents to that amount.
[g] This area includes, among others, donations of public lands in the early history of the country, and disposals under the preemption system and by various early sales.

The lands which the Government has alienated are the best of its original domain. Under the homestead law were taken up the rich agricultural alluvial lands of the central Mississippi basin; under the railroad grants were alienated many of the rich lands of the river courses and of the natural valley highways of the continent through which the railroads pass.

Quite different is the character of the remaining area of the public domain. No surveys have ever been made to show what proportion of the public domain is capable of agricultural production, how much is grazing land, or what proportion is desert land. An estimate made by an expert in the Department of Agriculture in 1898,[1] when the Government held more than twice as much public land as at present, showed that about 12 per cent was arid, 22 per cent woodland, and 66 per cent adaptable for grazing. Since that time the proportion has changed so as to increase relatively the amount of arid land and the wooded and forest tracts. An estimate made in 1916 on a somewhat different basis by an expert at the General Land Office was that about one-fifth of the remaining public land was worthless, one-fifth

[1] Yearbook of the Department of Agriculture, 1898, p. 330.

capable of some degree of agriculture, and the remaining three-fifths semiarid and grazing. More recent official statements of the Land Office describe the present vacant land as principally arid and grazing.

For future utilization, therefore, practically all of the land now owned by the United States outside of grazing land must be irrigated to be made of agricultural value. Additional land suitable for agriculture might, to be sure, in small quantities come into the possession of the United States through the future forfeiture of railroad grants or by the drainage of swamp areas now granted to States, the withdrawal of which from State grants is recommended by the Commissioner of the General Land Office. New methods of agriculture, also, such as improved dry farming, may render productive what is now semiarid or grazing land. For the most part, however, the opportunities for free land in the United States have passed. Agriculture has ceased to be an undertaking open to the man without capital. The problem which the United States now faces is to provide for its population opportunities equivalent to, or better than, those at one time afforded by an expanding public domain. So far as agriculture is concerned, the task of the Government is to secure for the workers of the country the use of the proper kind of farm land, to prepare and equip such land for use, to aid in the organization of cooperative facilities and community life, and to eliminate the causes of speculation.

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